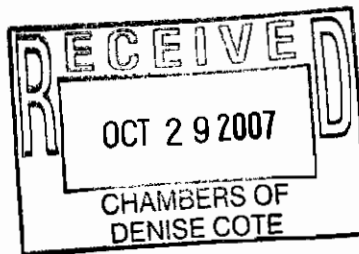


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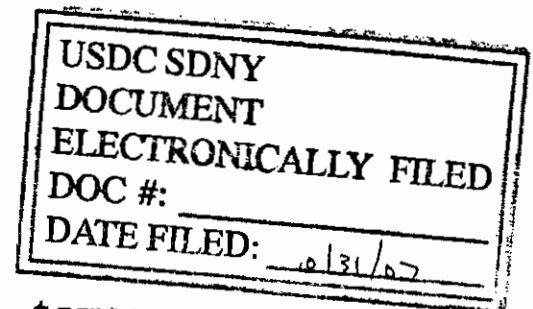
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October 29, 2007

BY HAND DELIVERY

The Honorable Denise Cote, U.S.D.J.
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Room 1040
New York, New York 10007

Re: *Weiner v. Snapple Beverage Corporation*
Civil Action No.: 1:07-cv-8742



MEMO ENDORSED

Dear Judge Cote:

We represent Defendant in the above-referenced matter. Within the coming days we will file a motion to dismiss Plaintiff's complaint and write to request permission to exceed Your Honor's 25-page limit on memoranda of law in support of motions. Plaintiff's complaint raises substantial issues pertaining to FDA regulations, federal preemption, primary jurisdiction, New York's consumer protection statute and warranty and unjust enrichment claims. As a result, Defendant asks for an additional 10 pages to address these issues thoroughly and has obtained the consent of Plaintiff's counsel in this regard.

Respectfully,

A handwritten signature in dark ink, appearing to read "M. Reid".
Maureen P. Reid

cc: Daniel R. Lapinski, Esq. (via electronic mail)
Philip A. Tortoreti, Esq. (via electronic mail)
Michael Halbfish, Esq. (via electronic mail)

Granted.

A handwritten signature in dark ink, appearing to read "Denise Cote".
October 31, 2007